

COMMENT SHEET

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TO:

Office of Congressional Affairs

STAT

FROM:

Compensation, Automation, and Planning

SUBJECT: H.R. 3653, To amend title 5 with respect to comparability adjustments under the provisions relating to grade and pay retention for Federal employees.

Subject bill has been reviewed by the Office of Personnel and our position is as follows:

- ☒ No objection.
- ☐ Continue monitoring/OP interest.
- ☐ No CIA equities.
- ☐ Seek CIA exemption.
- ☒ Advise OP when enacted.
- ☒ Comments.

Although the CIA is statutorily excluded from coverage under Subchapter VI, we administratively have adopted many of these provisions. This proposal would have no impact upon the Agency and we believe it provides an equitable measure.

STAT

22 December 1987

Date

Name Signed

100TH CONGRESS  
1ST SESSION

# H. R. 3653

To amend title 5, United States Code, with respect to comparability adjustments under the provisions relating to grade and pay retention for Federal employees.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 1987

Mr. GOODLING introduced the following bill; which was referred to the Committee on Post Office and Civil Service

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## A BILL

To amend title 5, United States Code, with respect to comparability adjustments under the provisions relating to grade and pay retention for Federal employees.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. METHOD OF ADJUSTING PAY OF EMPLOYEES**

4 **AFTER TERMINATION OF RETAINED-PAY**  
5 **STATUS.**

6 Section 5363(a) of title 5, United States Code, is  
7 amended—

8 (1) by striking “(a) Any” and inserting in lieu  
9 thereof “(a)(1) Except as provided in paragraph (2),  
10 any”;

1           (2) by redesignating paragraphs (1), (2), and (3) as  
2           subparagraphs (A), (B), and (C), respectively;

3           (3) by redesignating subparagraphs (A) and (B) as  
4           clauses (i) and (ii), respectively; and

5           (4) by adding at the end the following:

6           “(2)(A) In the case of an employee described in subpara-  
7           graph (A) of paragraph (1), if, during the 2-year period re-  
8           ferred to in such subparagraph, any adjustment under section  
9           5305 is precluded in a manner described in subparagraph (C),  
10          then in administering this subsection with respect to such  
11          employee, the words ‘50 percent’ in paragraph (1)(ii) shall be  
12          deemed to read ‘100 percent’, subject to subparagraph (B).

13          “(B) The adjustments with respect to which subpara-  
14          graph (A) shall apply in the case of any individual shall be  
15          the first adjustments under section 5305 (greater than zero)  
16          immediately following the employee’s reduction in pay, not to  
17          exceed the number of adjustments under section 5305 which,  
18          during the 2-year period referred to in such subparagraph,  
19          were precluded in a manner described in subparagraph (C).

20          “(C) For purposes of this paragraph, an adjustment  
21          under section 5305 shall be considered to have been preclud-  
22          ed if, in lieu of any increase which would otherwise take  
23          effect under such section, the overall percentage adjustment  
24          under such section is equal to zero as a result of—

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1           “(i) an alternative plan transmitted by the Presi-  
2           dent in accordance with subsection (c) of such section,  
3           or  
4           “(ii) the enactment of a bill or joint resolution.”.

5   **SEC. 2. EFFECTIVE DATE.**

6           The amendments made by this Act shall be effective as  
7           of October 1, 1987. In administering such amendments, any  
8           adjustment scheduled to take effect under section 5305 of  
9           title 5, United States Code, in fiscal year 1986 or thereafter,  
10          but precluded in a manner described in section 5363(a)(2)(C)  
11          of such title (as added by section 1), may be taken into ac-  
12          count.

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## CONGRESSIONAL RECORD — HOUSE

November 18, 1987

made Motorola still was not able to step inside that door.

My last word out of this book this evening will be that, again under "Targets for Tomorrow," "Today as more of communications has moved to digital and optical technology, Japan's strengths have been magnified." This again goes to what I was talking about on the optical disk. They have taken our technology and have magnified it into becoming the giant of the world. The big question is: How did they get it? I am asking that of the Secretary of Commerce and I hope that this Secretary will review that agreement with Japan and will say this is information that we should keep in the United States and not let any foreign contractor have access to it whatsoever.

I thank the Speaker and I yield back the balance of my time.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BUECHNER) to revise and extend their remarks and include extraneous material:)

Mr. GILMAN, for 60 minutes, December 2.

Mr. GINGRICH, for 5 minutes, today.

Mr. CRANE, for 60 minutes, November 19.

(The following Members (at the request of Ms. SLAUGHTER of New York) to revise and extend their remarks and include extraneous material:)

Mr. WRIGHT, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BROWN of California, for 5 minutes, today.

Mr. FRANK, for 60 minutes, November 19.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. DORNAN of California, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today.

Mr. GRAY of Illinois, for 5 minutes, today.

Mr. WALKER, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BUECHNER) and to include extraneous matter:)

Mr. DORNAN of California.

Mr. GUNDERSON.

Mr. SOLOMON.

Mr. HORTON.

Mr. KYL.

Mr. LAGOMARSINO in two instances.

Mr. OXLEY in two instances.

Mr. CONTE.

Mr. LENT.

Mr. DREIER of California in two instances.

Mr. MADIGAN.

Mrs. BENTLEY.

Mr. McEWEN.

Mr. MACK.

Mr. SCHUETTE.

Mr. LEWIS of Florida.

Mr. FRENZEL.

Mr. WORTLEY.

Mr. BLILEY.

(The following Members (at the request of Ms. SLAUGHTER of New York) and to include extraneous matter:)

Mr. GARCIA.

Mr. UDALL.

Mr. SOLARZ.

Mr. MONTGOMERY.

Mr. FAUNTROY.

Mr. LEHMAN of Florida.

Mr. BERMAN.

Mr. LANTOS in two instances.

Mr. HAMILTON in three instances.

Mr. SKELTON.

Mr. FAZIO in two instances.

Mr. FEIGHAN.

Mr. TOWNS.

Mr. SKAGGS.

Mr. TORRES.

Mr. GUARINI.

Mr. MILLER of California in two instances.

Mr. MAVROULES.

Mr. STALLINGS.

Mr. SCHUMER.

Mr. LELAND.

## ENROLLED BILL SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1451. An act to amend the Older Americans Act 1988, 1989, 1990, and 1991; to amend the Native Americans Programs Act of 1974 to authorize appropriations for such fiscal years; and for other purposes.

## SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and Joint Resolution of the Senate of the following titles:

S. 1158. An act to amend the Public Health Service Act to establish a National Health Service Corps Loan Repayment Program and to otherwise revise and extend the program for the National Health Service Corps; and

S.J. Res. 98. Joint resolution to designate the week of November 29, 1987, through December 5, 1987, as "National Home Health Care Week."

## ADJOURNMENT

Mrs. BENTLEY, Mr. Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 17 minutes p.m.) the House adjourned until tomorrow, Thursday, November 19, 1987, at 10 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2418. A letter from the Deputy Secretary of Transportation, transmitting a report on the safety of commercial motor vehicles being used in interstate and intrastate commerce, pursuant to 49 U.S.C. app. 2515(a); to the Committee on Public Works and Transportation.

2419. A letter from the Acting Administrator, Agency for International Development and First Vice President and Vice Chairman, Export-Import Bank, transmitting the Agency's semi-annual report on the amount and extension of credits under the Trade Credit Insurance Program to Costa Rica, Guatemala, Honduras, and El Salvador as of September 30, 1987, pursuant to 22 U.S.C. 2184(g); jointly, to the Committees on Banking, Finance and Urban Affairs and Foreign Affairs.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PEPPER, Committee on Rules, House Resolution 314, H.R. 3436, a bill to amend the Older Americans Act of 1965 to make technical corrections (Rept. 100-449. Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERMAN (for himself, Mr. FASCELL, Mr. HAMILTON, and Mr. HYDE):

H.R. 3651. A bill to prohibit exports of military equipment to countries supporting international terrorism, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BROOKS:

H.R. 3652. A bill to eliminate the authority for the performance of nonadvisory functions by the National Security Council; jointly, to the Committees on Armed Services and the Permanent Select Committee on Intelligence.

By Mr. GOODLING:

H.R. 3653. A bill to amend title 5, United States Code, with respect to comparability adjustments under the provisions relating to grade and pay retention for Federal employees; to the Committee on Post Office and Civil Service.

By Mr. GOODLING (for himself, Mr. ROBERTS, Mr. HALL of Texas, Mr. RIDGE, Mr. BARTLETT, Mr. FOGLIETTA, Mr. BORSKI, Mr. KOLTER, Mr. YATRON, Mr. KOSTMAYER, Mr. SHUSTER, Mr. McDADE, Mr. KANJORSKI, Mr. MUFTHA, Mr. COUGHLIN, Mr. RITTER, Mr. WALKER, Mr. GEKAS, Mr. WALGREN, Mr. MURPHY, Mr. CLINGER, Mr. WELDON, and Mr. SCHULZE):

H.R. 3654. A bill to require the Secretary of the Treasury to mint and issue \$1 coins in commemoration of the 100th anniversary of the birth of Dwight David Eisenhower; to